

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Art Unit 1642; Assistant Commissioner for Patents, Washington, D.C. 20231, on January 17, 2002.

**PATENT**  
Attorney Docket No.: 014058-009810US  
Client Ref. No.: CX-98-0028

TOWNSEND and TOWNSEND and CREW LLP

By: Annette S. Parent

Annette S. Parent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

*Cheever et al.*

Application No.: 09/493,480

Filed: January 28, 2000

For: HER-2/NEU FUSION PROTEINS

Examiner: J. Hunt

Art Unit: 1642

AMENDMENT

Art Unit 1642  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 17, 2001, please reconsider the application in view of the following amendments and remarks. A petition to extend the time for response for three months, from October 17, 2001 to January 17, 2002, is submitted herewith. Please amend the application as follows.

**IN THE SPECIFICATION**

Please amend the specification at page 6, lines 14-17, as follows:

Figure 17 illustrates the results of an ELISA assay for HERCEPTIN® Her-2/neu antibody binding to different ECD-PD fusion proteins produced either in mammalian